

(2)

P.R. No. 4117/06
 Presented by V.A. Soradhu
 dated 31/7/06

IN THE HIGH COURT OF JUDICATURE AT BILASPUR**CHHATTISGARH**

W.P. (S) NO. 4046 /2006

PETITIONER : R.C. Upadhyay S/o. R.N. Upadhyay,
 Aged about 45 years, R/o. Bade Kilepal, Tahsil
 Jagdalpur, District Bastar (CG)

VERSUS

RESPONDENTS : 1] State of Chhattisgarh,
 Through: Secretary, Tribal Welfare
 Department, D.K.S. Bhawan, Raipur,
 District Raipur (CG)

2] Commissioner,
 Tribal Welfare Department, Raipur,
 District Raipur (CG)

3] Asst. Commissioner,
 Tribal Welfare Department, Jagdalpur,
 District Bastar (CG)

4] Collector, Jagdalpur,
 District Bastar (CG)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक सन् 200

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4046/... सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	10-8-2006 Mr. Manoj Paranjpe, counsel for the petitioner. Mrs. Anju Ahuja, Deputy Govt Advocate for the State/respondents, on advance copy. Heard both the counsel. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 7th July, 2006 (Annexure P-2) passed by respondent No.4, whereby the petitioner has been transferred from Higher Secondary School, Bade Kilepal, District: Bastar to Higher Secondary School, Benur. Learned counsel for the petitioner submits that the petitioner has been transferred showing that he has been transferred on his own request and cost, whereas, no such request was made by the petitioner, therefore, he has been transferred on a wrong ground. He further submits that the petitioner may be allowed to make a representation to respondent No.1 to which learned counsel appearing for the State/respondents has no objection. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merit of the case, the request made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances annexing a copy of the writ petition to respondent No.1 within ten days from today and respondent No.1 is directed to decide the representation within one month from the date of its receipt after considering the points raised by the petitioner, in an objective manner, on its	

P.T.O.

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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Soma	own merits, in accordance with law. Till the representation of the petitioner is decided, the impugned order dated 7th July, 2006 (Annexure P-2), in respect of the petitioner shall remain stayed. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3145/2006 & I.A.No.7562/2006 also stand disposed of. Parties are entitled for certified copy of this order.	Sd/- L.C. Bhadoo Judge

P.T.O.

18.8.08